REMARKS

Claims 1-7 remain in this application. Claims 1-4 stand rejected as anticipated ny Kidokoro '222. Claim 8 stands withdrawn. The indication of the allowability of claims 5-7 is noted with appreciation. However, in view of the discussion below, Applicants submit that all remaining claims are allowable.

The Examiner has rejected claim 1 as anticipated by Kidkoro, '222. Applicants respectfully traverse this rejection. Admittedly, this reference has a fuel tank and canister with a valve between (actually two valves, one a tank internal pressure regulating valve 16 and the other a back-purge valve 17). Furthermore, there is a detection of pressure difference between the tank and canister. However, the last element of the claim is missing. This last element is:

> "an open failure normality judgment means for judging that no open failure exists in said sealing valve when said differential pressure detection means detects a differential pressure higher than a judgment value."

In other words, what is being detected here is failure of the sealing valve, specifically an open failure. Applicants submit that this is not one of the defects detected by the reference. Rather, what is detected are primarily leaks on the canister side. Valve integrity is assumed in making these measurements.

The portion of the specification at column 12 cited by the Examiner where a pressure differential is measured is discussing Fig. 5. In the claim, the next step is using this differential pressure to judge that no open failures exists. But following the flow in Fig. 5, it is clear that such does not happen in the reference. Rather, this differential value is compared with a learned value and the result used to potentially inhibit the leakage measurement on the canister side. There is simply no teaching here of judging that no open failure exists in valve 16.

The sections cited at columns 2, 3, and 4 are no better. The portion at column 2 simply talks about something similar to what was just describe concerning Fig. 5, that is, determining when conditions are right for detecting a defect on the canister side. The section at the bottom of

Column 3 is speaking not of valve 16, but of the back-purge valve 17 and still does not teach anything about judging no open failure in either valve 16 or 17. Finally, once again at Column 4 the discussion is of inhibiting defect detection on the canister side when certain condition are present. Again one finds no teaching of judging an open failure.

Similarly, with regard to claim 2, the last three elements of claim 2 cannot be found. That is, there is no:

> a differential pressure generation condition judgment means for judging whether a differential pressure generation condition is established, said condition being established when the sealing valve is expected to be closed and differential pressure is expected to be generated between both sides of the sealing valve;
>
> a condition establishment differential pressure detection means for detecting the difference between a canister side pressure and a tank internal pressure when said differential pressure generation condition is established; and
>
> an open failure abnormality judgment means for judging that an open failure exists in said sealing valve when said condition establishment differential pressure detection means does not detect a differential pressure greater than a judgment value.

The cited portion of Column 12 describes measuring differential pressure. But, there is no teaching of "judging whether a differential pressure generation condition is established, said condition being established when the sealing valve is expected to be closed and differential pressure is expected to be generated between both sides of the sealing valve." As previously discussed, this reference is not directed to detecting the state of the valve.

Similarly, the cited portion does not describe "detecting the difference between a canister side pressure and a tank internal pressure when said differential pressure generation condition is established." It does teach detecting, but not doing so "when said differential pressure generation condition is established." Finally, for the same reasons given when discussing claim 1, there is no teaching at the portions cited (or elsewhere) of "judging that an open failure exists

in said sealing valve when said condition establishment differential pressure detection means does not detect a differential pressure greater than a judgment value."

In view of the above, Applicants believe that all claims remaining in this application are in condition for allowance, prompt notice of which is respectfully solicited.

The Examiner is invited to call the undersigned at (202) 220-4200 to discuss any information concerning this application.

The Office is hereby authorized to charge any additional fees under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,

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